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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/336,920	06/21/1999	ELLIOT BROADWIN	5180-01106	8238

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EXAMINER	
HUYNH, SON P	

ART UNIT	PAPER NUMBER
2611	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/336,920	BROADWIN ET AL.	
	Examiner	Art Unit	
	Son P Huynh	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 June 1999*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *21 June 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 1-25 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over 68-69 of U.S Patent number 5,903,816 (herein after referred to as 816). Although the conflicting claims are not identical, they are not patentably distinct from each other.

Claim 1 of the application broadly recites the patent claim 68. Therefore it would have been obvious to one of ordinary skill in the art to modify patent claim 68 in order to obtain the application claim 1.

Allowance of claim 1 would result in an un-warranted time wise extension of the monopoly granted for the invention as defined in claim 68 of patent number 5,903,816.

Claim 2 corresponds to patent claim 68.

Claim 3 corresponds to patent claim 68.

Claim 4 corresponds to patent claim 68.

Claim 5 corresponds to patent claim 68.

Claim 6 corresponds to patent claim 68.

Claim 7 corresponds to patent claim 68.

Claim 8 corresponds to patent claim 68.

Claim 9 corresponds to patent claim 68.

Claim 10 corresponds to patent claim 68.

Claim 11 corresponds to patent claim 68.

Claim 12 corresponds to patent claim 68.

Claim 13 corresponds to patent claim 68.

Claim 14 corresponds to patent claim 68 with additional limitation "compressed still video image." It would have been obvious to one of ordinary skill in the art to modify the patent claim 68 with the claimed limitation in order to reduce bandwidth used to transmit the images.

Claim 15 corresponds to patent claim 69.

Claim 16 of the application broadly recites the patent claims 68 and 69. Therefore it would have been obvious to one of ordinary skill in the art to modify patent claims 68 and 69 in order to obtain the application claim 16.

Allowance of claim 16 would result in an un-warranted time wise extension of the monopoly granted for the invention as defined in claims 68 and 69 of patent number 5,903,816.

Claim 17 corresponds to patent claim 68.

Claim 18 corresponds to patent claim 68.

Claim 19 corresponds to patent claim 68.

Claim 20 corresponds to patent claim 68 with additional limitation "cyclically rebroadcasting still images." It would have been obvious to one of ordinary skill in the art to modify the patent claim 68 with the limitation as claimed in order to allow user to access missing images.

Claim 21 of the application broadly recites the system of patent claims 68 and 69. It would have been obvious to one of ordinary skill in the art to modify patent claims 68 and 69 in order to perform the method of patent claims 68 and 69.

Allowance of claim 21 would result in an un-warranted time wise extension of the monopoly granted for the invention as defined in claims 68 and 69 of patent number 5,903,816.

Claim 22 corresponds to patent claim 68.

Claim 23 corresponds to patent claim 68.

Claim 24 corresponds to patent claim 68.

Claim 25 corresponds to patent claim 68.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-2, 4-5, 8-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Niijima et al. (US 5,903,314).

Regarding claim 1, Niijima teaches a method for displaying archived data (the archived data may be moving pictures, or still pictures or text data representative of contents of programs – col. 35, lines 56-62-therefore, hereinafter the archived data or motion picture through the reference is referred as still images) related to video content in an interactive television system, wherein the system comprises a delivery system (transmission side-figure 27) for providing video content, and at least one subscriber

television (reception side – figure 27) including a display screen (312-figure 27), wherein the subscriber television is coupled to the video delivery system, wherein the system further comprises a media server (archiving section 304, storage apparatus 305, video server 303 – figure 27) which stores a plurality of still images (the reduced screens of programs of all channels in storage apparatus – col. 30, line 55+), the method comprising:

the video delivery system broadcasting one or more video channels and a first still image channel (transmission side broadcast plurality of program data broadcasting channels and archived data in a transmission channel – figures 3, 27 and col. 8, line 1+. Thus, the program data broadcasting channels meet the video channels, and transmission channel meets the first still image channel as claimed);

the subscriber television receiving the one or more video channels and the first still image channel (the receiver side receives the video channels and the transmission channel – col. 9, line 45+ and figures 3, 11, 16, 27);

displaying on the screen one or more selection options, wherein the one or more selection options includes a first selection option which indicates a request to view at least one still image (displaying images on the screen as an EPG that allow user to indicate a request for particular program by selecting an image on the EPG – figures 5,7, 20, 25-26);

receiving user input selecting the first selection option which indicates a request to view the at least one still image (e.g. receiving user input selecting frame 201 which indicates a request to view the image 201 of program 2 – figures 5,7);

capturing the at least one still image from the first still image channel (still image for selected frame is display – figure 7, clearly, the image is captured before it is displayed); the subscriber television displaying on the screen the at least one still image received on the first still image channel (displaying image received on transmission channel – figures 5,7 and col. 9, line 55+).

Regarding claim 2, Niijima discloses when a frame on the EPG is selected (e.g. frame 201 in figure 5), an images associated to the selected frame is displayed on the screen (e.g. image for program 2 in figure 7). Inherently, the video delivery system broadcast a plurality of still images on the first still image channel (transmission channel) and wherein capturing the at least one still image (e.g. image for program 2) from the first still image channel comprises determining which of the plurality of still images on the first still image channel corresponds to the user input and selecting the at least one still image for display.

Regarding claim 4, Niijima discloses the plurality of broadcasting channels and the archived data are transmitted to the viewer side via the artificial satellite, they may otherwise be transmitted to the viewer side from video server 53 via a wire transmission line such as a cable or in the from of a ground wave or by some other suitable signal distribution method (col. 9, lines 20-32, figure 27). Niijima further discloses the archived data is supplied to the video server 303, and when a request for a preview is received, the archived data is transmitted to the viewer side using a predetermined dedicated

transmission channel via the cable network 310 (col. 31, line 9+). Thus, the video delivery system (transmission side) broadcasts a plurality of still images (archived data) on a second still image channel (e.g. via satellite transmission) which is distinct from the first still image channel (e.g. via wire transmission line) and wherein capturing the at least one still image from the first still image channel comprises transmitting to a media server (video server 303, archiving section 304 and storage 305) a request corresponding to the user input and transmitting to the subscriber television the at least one still image in response to the request.

Regarding claim 5, Niijima teaches the first still image channel is dedicated to transmitting images in response to user requests (col. 31, line 9+).

Regarding claim 8, Niijima discloses the transmission side broadcasts video program, archived data and program guide data to reception side. A set top box 311, at reception side, receives the data and performs necessary processing for the received data, and a video signal is supplied to and displayed on a display apparatus 312 as interactive program guide, the user selects particular portion on the interactive program guide for associated data (col. 31, line 9+, figures 5,7, 20). Thus, the video delivery system is met by the transmission side; interactive program data is met by interactive program guide data; selection options are met by the selection options displayed on the program guide.

Regarding claim 9, Niijima teaches the system comprises a set top box 311 coupled to the subscriber television (figure 27) and wherein the displaying on the screen the one or more selection options comprises the set top box receiving the interactive program data associated with the program content (data for interactive program guide) from the one or the one or more video channels and displaying on the screen the one or more selection options in response to the interactive program data (col. 31, line 9+ and figures 5,7,20-21, 27).

Regarding claim 10, Niijima teaches displaying on the screen the at least one still image corresponding to the first selection includes displaying on the screen a second set of selection options, wherein at least one of the second set of selection options corresponds to other still images (the second set is met by another category -figures 20, 26- or another reduced screen – col. 20, line 35+).

Regarding claim 11, Niijima teaches the video delivery system broadcast a plurality of still images on the first channel (e.g. transmission channel via satellite – figure 3);
the video delivery system broadcasting the first channel comprises the video delivery system broadcasting interactive program data with each of the plurality of still images (col. 30, line 16+);
the displaying on the screen the second set of selection options is performed in response to receiving interactive program data associated with the plurality of still images (col. 30, line 37+).

Regarding claim 12, Niijima teaches receiving user input selecting a second selection of the second set of selection options (e.g. receiving user input selecting another category or another image in the EPG – col. 10, line 54+), wherein the second selection indicates a request to view a second still image which is currently being broadcast by the video delivery system (still images that are displayed when user navigates the screen –col. 10, line 45+);
displaying on the screen the second still video image (excessive number of images in category) corresponding to the second selection in response to the receiving user input selecting the second selection of the second set to selection options (displaying excessive image on the screen in response to user navigation of the screen for excessive images (col. 10, line 52+).

Regarding claim 13, Niijima discloses the method as discussed in the rejection of claim 10. Niijima further discloses video on demand service system wherein the EPG processing section 302 performs predetermined processing in response to a signal transmitted thereto from a set top box 311 on the viewer side via a cable network 310 (col. 30, line 37+); the archived data is supplied to the viewer server 303, and when a request fro a preview is received, the archived data is transmitted to the viewer side using a predetermined dedicated transmission channel via the cable network 310 (col. 31, line 9+). The user requests preview by selecting image on the interactive program guide (col. 32, line 30+), the request for preview is sent to the video server; the archived

data is supplied to reception side when the requested is received at the video server (col. 31, line 7+); the set top box processes the requested preview, and displayed the requested preview on the display apparatus (col. 31, line 15+). Inherently, the method comprising: receiving user input selecting a second selection of the second set of selection options, wherein the second selection indicates a request to view a second still image which is not currently being broadcast by the video delivery system (e.g. user selects preview for video on demand option on screen wherein the preview is only provided upon receiving request from reception side);

the subscriber television system providing the request to the media server (the reception side provides request for preview of video on demand services to archiving section 304, storage apparatus 305 and video server 303);

the media server providing the second still image to the video delivery system in response to the request (providing archived data, including preview, to video server at transmission side in response to the request);

the video delivery system broadcasting the second still video image on the first channel in response to receiving the second still image from the media server (transmission side broadcast request archived data, including preview, on the predetermined dedicated transmission channel via the cable network 310 in response to archived data, including the preview, from the video server, archiving section, storage apparatus);

the subscriber television displaying on the screen the second still image received on the first channel (the reception side displaying on the display apparatus 312 the archived

data, including the preview, received on the predetermined dedicated transmission channel via the cable network 310).

Regarding claim 14, Niijima teaches the still video images are compressed still video images (col. 7, line 30+).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima et al (US 5,903,314).

Regarding claim 3, Niijima teaches a method as discussed in the rejection of claim 2. Niijima does not specifically disclose cyclically broadcasts the plurality of still images. Official Notice is taken that cyclically broadcast data is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to use the well-known teaching in the art in order to allow reception side to receive missing data.

7. Claim 15-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima et al. (US 5,903,314), and in view of Steele (US 5,884,056).

Regarding claim 15, Niijima teaches a method as discussed in the rejection of claim 1. However, Niijima does not specifically disclose the media server is an Internet server for providing video content on the Internet.

Steele teaches an Internet server (Web server 14, col. 5, line 22+) providing video content on the Internet (col. 8, line 10+). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to use the teaching as taught by Steele in order to access the video via Internet thereby expand capabilities of the system.

Regarding claim 16, Niijima discloses a system comprises transmission side for transmitting data for interactive program guide, archived data, and plurality of program data on plurality channels to reception side, wherein the archived data is transmitted on a transmission channel and the program data is transmitted on plurality of broadcasting channels, the archived data may be moving pictures, still pictures or text data (col. 35, lines 52-62). Thus, the motion images in the reference are referred to as still pictures. The reception side coupled to transmission side by a communication network, such as satellite, cable, etc. (figures 3, 27), an archiving section produces archived data, stores in storages. The archived data is retrieved from the storage and provided to the video server for providing to the reception side (figures 3, 27). The reception side receives

archived data, data for interactive program guide, video content, processes the received data and displays the processed data on the display apparatus 312 as program guide. The user uses a user input to select an image on the interactive program to display associated data (figures 5, 7, 20, 25-27). When user selects to indicate a request to view archived data, including preview of the program, if the selection is an excessive archived data, the reception side displays excessive archived data on the screen (col. 10, line 45+). If the selection is an video one demand services, the request is provided to the transmission side, the video server, in response to the request provided by the reception side, retrieves the requested archived data, including preview, and provides to the reception side, the set top box 311 at the reception side receives the requested archived data, including the preview, processes the received data and provides to the display apparatus 312 for display to the user (figure 27 and col. 30, line 15+). Thus, the method as claimed is met by method taught by Niijima wherein the video delivery system is met by the transmission side; display screen is met by display apparatus; subscriber television is met by reception side; video channel is met by the data broadcasting channel; still image channel is met by transmission channel for transmitting archived data; selection options are met by the selection portions on interactive program guide; first selection option which indicates a request to view a first still image is met by selection option which indicates a request to view a still image associated with the selected portion on the program guide; the first still image is not currently being broadcast is met by the archived data, including preview, for video on demand services; the first still image is currently available is met by the excessive

archived data, the server media is met by the video server, archiving section and storage apparatus 303-305). However, Niijima does not specifically disclose providing web-like capabilities in an interactive television system.

Steele discloses the user selects a video object displayed on the screen (e.g. Three Stooges Movie – figure 3), in response to the selection, the request is provides to the web-server. The web server receives the request and provides a plurality of still images to client system. The client system displays the still images on the screen; the user selects particular interval of the video content by selecting start image and end image displayed on the screen. The client system receives video content associated with the selected interval and displays the video content on the screen (figures 3-8). Necessarily, a web-like capabilities is provided in interactive television system. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to use the teaching as taught by Steele in order to expand capabilities of the system.

Regarding claim 17, Niijima in view of Steele teaches a method as discussed in the rejection of claim 16. Steele further discloses the first still image channel comprises the second still image channel (thumbnail images 46, in figure 6, and still images 52, figure 7, are provided from the server via Internet – col. 3, line 55+).

Regarding claim 18, Niijima teaches the still image channels (e.g. transmission channel) are dedicated to delivery of still images to the subscriber television (col. 30, line 9+).

Regarding claim 19, Niijima further teaches the first still image channel is dedicated to broadcasting still images in response to user input selecting selection option which indicate requests to view still images that are not currently being broadcast (e.g. archived data for video on demand services – figure 27 and col. 30, line 15+).

Regarding claim 20, Niijima in view of Steele teaches a method as discussed in the rejection of claim 19. Niijima further discloses the archived data can be provided to reception side using via a plurality of transmission lines (col.9, lines 20+), the requested archived data is transmitted to the viewer side using a predetermined dedicated transmission channel via the cable network 310 (col. 31, line 9+). Necessarily, the second still image channel is distinct from the first still image channel. However, neither Niijima nor Steele specifically discloses cyclically rebroadcasting still images on the second still image channel. Official Notice is taken that cyclically rebroadcasting data is well-known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima and Steele with the well-known teaching in the art in order to the user to view missing data.

8. Claims 6-7, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Niijima et al. (US 5,903,314), and in view of Florin et al. (US 5,621,456).

Regarding claim 6, Niijima teaches a method as discussed in the rejection of claim 1. Niijima further discloses video content and still images (col. 31, line 10+). However, Niijima does not specifically disclose displaying video content while displaying on the screen the at least one still image.

Florin teaches displaying video content while displaying still image (e.g. figure 20). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to use the teaching as taught by Florin in order to simultaneously disclose video content and still image on the screen thereby allow the still image to be accessed easily.

Regarding claim 7, Niijima teaches the video content is related to a first subject matter (e.g. movie) and wherein the at least one still image is related to the first subject matter (e.g. movie – figure 20).

Regarding claim 21, Niijima discloses a system comprises transmission side for transmitting data for interactive program guide, archived data, and plurality of program data on plurality channels to reception side, wherein the archived data is transmitted on a transmission channel and the program data is transmitted on plurality of broadcasting channels, the archived data may be moving pictures, still pictures or text data (col. 35, lines 52-62). Thus, the motion images in the reference are referred to as still pictures.

The reception side coupled to transmission side by a communication network, such as satellite, cable, etc. (figures 3, 27), an archiving section produces archived data, stores in storages. The archived data is retrieved from the storage and provided to the video server for providing to the reception side (figures 3, 27). The reception side receives archived data, data for interactive program guide, video content, processes the received data and displays the processed data on the display apparatus 312 as program guide. The user uses a user input to select an image on the interactive program to display associated data (figures 5, 7, 20, 25-27). When user selects to indicate a request to view archived data, including preview of the program, if the selection is an excessive archived data, the reception side displays excessive archived data on the screen (col. 10, line 45+). If the selection is an video one demand services, the request is provided to the transmission side, the video server, in response to the request provided by the reception side, retrieves the requested archived data, including preview, and provides to the reception side, the set top box 311 at the reception side receives the requested archived data, including the preview, processes the received data and provides to the display apparatus 312 for display to the user (figure 27 and col. 30, line 15+). Thus, the system as claimed is met by system taught by Niijima wherein the subscriber television is met by the reception side, wherein display screen is met by display apparatus; video channels are met by the data broadcasting channels; still image channel is met by transmission channel for transmitting archived data; selection options are met by the selection portions on interactive program guide; first selection option which indicates a request to view a first still image is met by selection option which indicates a request to

view a still image associated with the selected portion on the program guide; the first still image is not currently being broadcast is met by the archived data, including preview, for video on demand services; the first still image is currently available is met by the excessive archived data, the server media is met by the video server, archiving section and storage apparatus 303-305, and video delivery system is met by the transmission side. However, Niijima does not specifically disclose displaying selection option during display of video content.

Florin teaches displaying selection options during displaying of video content (e.g. figure 22). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Niijima to use the teaching as taught by Florin in order that the selection options to be accessed easily.

Regarding claim 22, Niijima teaches the subscriber television (reception side) is configured to be coupled to a video delivery system (transmission side) – figure 27, wherein the video delivery system provide the plurality of video channels (broadcasting channel – col. 8, line 2+) and the still image channel (transmission channel – col. 8, line 51+), and wherein the video delivery system comprises a media server (video server 303, archiving section 304 and storage apparatus 305- figure 27) which stores a plurality of still images (store reduced screens in storage apparatus 305).

Regarding claim 23, Niijima teaches the subscriber television receives interactive program data (data for program guide such as broadcasting starting time, broadcasting channel numbers, program categories, program names, positions on a multi screen, numbers of picture elements of the reduced screens, archived data, etc. (col. 11, line 35+) with one or more of the plurality of channels (col. 12, line 50+);
the subscriber television is configured to display the one or more selection options in response to receiving interactive program data associated with the video content from the one of the plurality of channels (figures 20, 25-26 and col. 19, line 55+).

Regarding claim 24, Niijima teaches a set top box (311-figure 27) coupled to the subscriber television;
wherein the set top box is configured to receive interactive program data associated with video content from one of the plurality of channels and display one or more selection options on the subscriber television in response to the interactive program data (figures 25-28 and col. 31, line 9+).

Regarding claim 25, Niijima teaches the at least one still image channel is dedicated to the plurality of still images (transmission channel is dedicated for archived data – col. 31, line 9+).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Terasawa et al (US 6,147,714) teaches control apparatus and control method for displaying electronic program guide.

Ishikawa (US 5,537,152) teaches television receiver for displaying registered broadcast channels in display segments and a channel selector having similar segments.

Duffield et al. (US 5,398,074) teaches programmable picture outside picture display.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son P Huynh whose telephone number is 703-305-1889. The examiner can normally be reached on 8:00-5:30.

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on 703-305-4380. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son P. Huynh
June 7, 2004

HAI TRAN
PATENT EXAMINER